

## **Compatibility Determination**

**Use:** Special Events (non-refuge sponsored)

**Refuge Name:** Rice Lake National Wildlife Refuge

**County:** Aitkin, MN

### **Establishing and Acquisition Authorities:**

Executive Order 7221 (10/31/1935) established the Refuge. Additional lands were acquired under the Migratory Bird Conservation Act 16 U.S.C. § 715d, Refuge Recreation Act 16 U.S.C. § 460k-4), as amended, GSA Transfer Authority, Fish and Wildlife Act 1956. The Sandstone unit was transferred from the Department of Justice under an Act Authorizing the Transfer of Certain Real Property for Wildlife, or other purposes 16 U.S.C. § 667b.

### **Refuge Purposes:**

Establishment purpose: "... as a refuge and breeding ground for migratory birds and other wildlife: ..." Executive Order 7221, dated Oct. 31, 1935

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." 16 U.S.C. § 460k-1 "... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ..." 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k-4), as amended).

"... particular value in carrying out the national migratory bird management program." 16 U.S.C. § 667b (An Act Authorizing the Transfer of Certain Real Property for Wildlife, or other purposes)

"... for the development, advancement, management, conservation, and protection of fish and wildlife resources ..." 16 U.S.C. § 742f(a)(4) "... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ..." 16 U.S.C. § 742f(b)(1) (Fish and Wildlife Act of 1956)

### **National Wildlife Refuge System Mission:**

The Mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

**Description of Use:**

This use is for special events sponsored by the Mille Lacs Band of Ojibwe, the East Lake community, other tribal organizations, charitable groups, non-profit groups or other natural resource agencies. These events may include tribal ceremonies (both religious and non-religious), birding festivals and chamber tours, bike rides, fun runs, canoe or kayak tours, photography/art workshops, river or trail clean up days, and youth scouting events. Events are held numerous times annually and would occur at different times throughout the year. Events may have up to 300 participants, although generally less than 50. Participants use established roads, trails, visitor centers, boat landings and other facilities that are already open to the public. Clean-up events may include all portions of the refuge adjacent to the Rice River or other water bodies that are generally accessible by boat.

**Is the use a wildlife-dependent use?**

The use is not a wildlife-dependent use.

**When would the use be conducted?**

These events could possibly take place throughout the year, but most likely will occur during the spring, summer, and fall time periods. Care will be taken so these events do not conflict with priority public uses or other priority station activities such as during hunting seasons. Safety of both hunters and event goers must be evaluated to avoid conflicts.

**How would the use be conducted?**

The events will be conducted as per the sponsors, but with conditions agreed upon by the Refuge Manager.

**Why is this use being proposed?**

The refuge is open to the public so no new disturbance is created by allowing this use, though the intensity of the use may increase slightly for a short period of time. The intensity of the use must be evaluated to determine if a use is compatible or not. These special events allow the public to build a connection to the refuge through personal outdoor experiences that engage the senses and foster an appreciation of the outdoors. It also engages the public in the refuge resources and helps garner their support for the NWRS. For events sponsored by the Ojibwe people, who consider many sites on the refuge to be sacred due to their centuries of use while living on the land, it allows them to reconnect with traditional and cultural ways.

**Availability of Resources:****Resources involved in the administration and management of the use:**

Facilities and staff are currently available to provide access, maintained roads, parking lots, and signage. Maintaining the site is part of routine management duties, staff and funding is available. The absence of a refuge law enforcement officer will require temporary detail assignments from other refuge field stations, supported by MN DNR conservation officers, for law enforcement patrols to ensure adherence to Refuge public use regulations and security of Government housing and maintenance/storage buildings. Tribal police or Tribal DNR conservation officers will be requested on a case-by-case basis for Tribal events.

**What resources are needed to properly (considering quality and compatibility) and safely administer use?**

These events generally involve staff time for meeting with sponsors, explaining Refuge regulations, issuing a Special Use Permit, and providing some level of oversight during portions of or the entire event.

**Special equipment, facilities, or improvements necessary to support the use:**

None

**Anticipated Impacts of the Use:**

**Short-term impacts:**

The short term impact associated with these events is human disturbance to wildlife occupying habitat on the Refuge. Most events will occur on established trails and roads or at existing facilities or areas that already support a moderate level of human activity. Wildlife that occupy habitat in these areas are accustomed to a higher degree of human disturbance. Any alteration of behavior would be temporary and localized with wildlife quickly resuming normal activities. Wildlife habitat impacts will be evaluated for each request. If habitat will likely sustain damage during the event, mitigation measures must be in place to reduce the impact on that habitat or the event will not be permitted.

There will be some short term impact to other visitors engaged in wildlife-dependent recreation during the event. Visitors, not engaged in the event, will be permitted to continue their activity. With an increase of public use during special events, an increase of litter is expected. Event coordinators will be required to clean the area when the event is complete. Clean-up events actually reduce litter and debris and thus have a positive impact on the visual character of the Refuge. Scouting events often include service projects, so the events are also likely to have a positive impact on refuge facilities or habitats.

**Long-term impacts:**

No long term impacts will occur to wildlife populations or habitats. Long term impacts to habitat can be avoided by ensuring that multiple events do not occur in the same areas repeatedly. Refuge staff will ensure that adequate time is allowed between events for the areas impacted to be recovered from any previous disturbance.

**Cumulative impacts:**

No cumulative impacts will occur due to the brief and infrequent use.

**Public Review and Comment:**

This Compatibility Determination will be posted and available for public review on the Refuge website for a minimum of 15 business days. A news release will be issued to inform the public of this opportunity to provide comments.

**Determination (check one below):**

☐ Use is Not Compatible

☒ Use is Compatible with the Following Stipulations

### **Stipulations Necessary to Ensure Compatibility:**

1. No digging or disruption of topsoil on sacred sites is allowed.
2. Events must include an educational message that helps further the understanding of the purposes of the refuge and the mission of the Refuge System.
3. Event sponsors will furnish complete information on event description, date, time, preferred location, number of participants, and logistics for health and safety, so that the manager can make a determination of best area and timing of events when issuing a Special Use Permit. Management reserves the right to deny any proposal that will cause an undue demand on staff or resources.
4. Except for litter clean-ups, events will be scheduled only in areas open to public use and at appropriate times of the year to avoid significant wildlife and visitor disturbance. Events will be scheduled on a first-come, first-served basis, with no more than one event in the same area and time. All activities will be limited to designated routes on established roads, trails and public use facilities. Collection of money for the fund raising aspect of an event will be conducted **off** Federal (refuge) property. No gambling or merchandise sales are allowed on Federal (refuge) property.
5. Event sponsors will be required to provide all personnel, materials, and supplies necessary to run the event. This requirement applies to any tables, chairs, displays, signs, traffic aids, law enforcement, litter receptacles, portable toilets, etc. needed and placed in accordance with the Special Use Permit.
6. Water or rest stations will be approved by Refuge staff in advance of the event and will be located to avoid any sensitive sites (e.g. areas with high densities of waterfowl or other wildlife and known cultural sites). Certain Tribal ceremonial or cultural events may be allowed to occur at known cultural sites with adequate time for review prior to the event.
7. A Special Use Permit with conditions will be used to limit times and area impacted by special events. Limited use of motorized vehicles is authorized in public use areas with maintained lawns, only when ground conditions allow. All vehicles not needed for event setup will otherwise be limited to maintained roads and established parking areas.

### **Justification:**

Disturbance to wildlife and habitat will be minimal since this use will occur on existing trails and other public use areas, be periodic, and relatively short duration. Wildlife will be displaced during the event but will return to the affected areas quickly. Adjacent habitat is abundant for wildlife to use when disturbed. Stipulations in place will minimize disturbance, ensure control of events, and contribute to the mission of the Refuge System by requiring an interpretive or environmental education component. This use will also expose large numbers of people to the refuge and help them gain a better understanding and appreciation of the refuge. These events are also consistent with the agency commitment to protecting and managing cultural resources in a spirit of stewardship for future generations to understand and enjoy. Permitting ceremonial activities on the Refuge would support the intent of Executive

Order 13007 dated May 24, 1996, pertaining to use of Indian Sacred Sites, and Fish and Wildlife Service policy on implementing the Executive Order. The number of events, and their size and scope, remains under the control of the Refuge Manager through the requirement of a Special Use Permit.

**Signature:** Refuge Manager \_\_\_\_\_  
(Signature and Date)

**Concurrence:** Regional Chief \_\_\_\_\_  
(Signature and Date)

**Mandatory 10 or 15-Year Re-Evaluation Date:** 2026